KRATOS AND OTHER FORMS OF POWER IN THE TWO *CONSTITUTIONS OF THE ATHENIANS*

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Abstract. What did *kratos* imply in the classical democratic context? Focusing on the two *Constitutions of the Athenians* traditionally attributed to Xenophon and Aristotle respectively, this article explores differences among *kratos* and three proximate terms: *archē* (magistracy or governance), *kuros* (authority), and *dēmagōgia* (leadership). With Benveniste and Loraux, it argues that *kratos* meant not simply 'power' but specifically 'superiority' or 'predominance', especially in combat. *Dēmokratia* thereby suggested the predominance—founded on force if necessary—of the *dēmos* ('assembly', 'collective common people') over the rest of the community, including office-holders (*archontes, archai*) and political leaders (*dēmagōgoi*). The association of *kratos* with force directs special attention to the martial underpinnings of classical demotic authority, incidentally highlighting a weakness in contemporary democracy: the *dēmos*'s lack of *kratos* over the political elite whenever that elite controls military and police power.

Several ancient Greek terms suggested 'rule', 'power', or 'force'—*kratos*, *archē*, *kuros*, *dunamis*, *exousia*, *ischus*, *bia*. Among those, *kratos* and *archē* stand out for their use in regime names that persist in scarcely altered forms today (democracy, oligarchy), while *kratos* (normally glossed 'power' or 'rule')[1] is of special interest as the word most closely associated with *dēmos*. What did *kratos* imply?

Against the then-prevailing interpretation of Homeric *kratos* as 'force, power', Emile Benveniste argued that it specifically signified 'superiority, whether in battle or in the assembly': being 'without equal', especially in combat.[2] From that meaning came a related one: the 'power (of authority)' manifested by the superior.[3] Nicole Loraux, canvassing evidence down to the fourth century, agreed: 'throughout its history *kratos* always designates superiority and thus victory… To have *kratos* is to have the upper hand'.[4]

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[1] P. Cartledge, *Ancient Greek Political Thought in Practice* (Cambridge: Cambridge University Press, 2009), pp. 6, 62, 74; M.I. Finley, *Democracy Ancient and Modern* (New Brunswick: Rutgers University Press, 1985), p. 12; J.A.O. Larsen, 'Demokratia', *Classical Philology*, 68 (1973), pp. 45–6, p. 46; K. Raaflaub, 'The Breakthrough of *Dēmokratia* in Mid-fifth Century Athens', in K. Raaflaub, J. Ober, and R. Wallace (eds.), *Origins of Democracy in Ancient Greece* (Berkeley: University of California Press, 2007), pp. 105-54, p. 106; P.J. Rhodes, *Ancient Democracy and Modern Ideology* (London: Duckworth, 2003), pp. 18–19.

[2] E. Benveniste, *Dictionary of Indo-European Concepts and Society* (Chicago: Hau, 2017 [1973]), pp. 361-2, 365.

[3] Benveniste, *Dictionary*, p. 366.

[4] N. Loraux, *The Divided City: On Memory and Forgetting in Ancient Athens* (Zone Books: New York, 2001), p. 69. See also the discussion in R. Lauriola, '"Democracy" and Aristophanes: A Terminological Approach," *Polis*, 34 (2017), pp. 336-65.

Against that view, Josiah Ober—who has done more than perhaps any other living scholar to eludicate the meanings of *dēmokratia* in general[5] and *kratos* in particular[6]—holds that superiority was not implied when *krat-* became used as a regime-suffix. Arguing by analogy with *isonomia* ('equal-law'), *isēgoria* ('equal-public-address') and *isomoiria* ('equal-shares'), Ober finds that *isokratia* meant 'equal access to the public good of *kratos*—to public power that conduces to the common good by enabling good things to happen in the public realm'. From that, he deduces that *krat-* meant 'power in the sense of strength, enablement, or "capacity to do things".'[7] *Dēmokratia*, on that reading, indicated a citizenry's 'collective capacity to do things in the public realm, to make things happen'.[8] On Ober's view, political agonism was not central to ancient democracy; rather, *dēmokratia* advanced the collective capacity of *all* citizens. In a similar vein, Mirko Canevaro has recently argued that classical *dēmokratia* centered on the building of consensus, not on the predominance of one group over another.[9] Those interventions allow Ober and Canevaro to make the analytically and ideologically significant move of distinguishing *dēmokratia* from 'majority rule' or (as Ober also puts it) 'majoritarian tyranny'.[10]

Yet, an alternative reading of the ancient evidence suggests an essential continuity between Homeric and classical *kratos*, bringing the distinction between more and less powerful parties back into play and indirectly helping to preserve the view of democracy as majority rule. *Krat-* compounds invariably suggested opposing forces. The *iso-* prefix implied that those forces were equally balanced,[11] but where *iso-* was lacking, an unequal balance of forces was implied. *Gunaikokratia* was associated with the predominance of women over men, not simply women's capacity to do things: 'During [the Spartan] empire [*archē*] many things were managed by women; yet what difference does it make whether the women govern [*archein*] or whether the governors [*archontes*] are governed [*archesthai*] by women? The result is the same'.[12] Similarly, *aristokratia* implied the predominance of the best,[13] and *timokratia* the predominance of either honour

[5] J. Ober, *Mass and Elite in Democratic Athens* (Princeton: Princeton University Press, 1989); J. Ober, *The Athenian Revolution* (Princeton: Princeton University Press, 1996); J. Ober, *Political Dissent in Democratic Athens* (Princeton: Princeton University Press, 1998); J. Ober, *Demopolis: Democracy before Liberalism in Theory and Practice* (Cambridge: Cambridge University Press, 2017).

[6] J. Ober, 'The Original Meaning of *Dēmokratia*: Capacity to Do Things, Not Majority Rule', *Constellations* 15 (2008), pp. 3-9; Ober, *Demopolis*.

[7] Ober, 'Original Meaning', p. 6. Cf. Ober, *Demopolis*, p.25.

[8] Ober, 'Original Meaning', p. 7. Cf. Ober, *Demopolis*, p. 29.

[9] M. Canevaro, 'Majority Rule vs Consensus: The Practice of Democratic Deliberation in the Greek *Poleis*', in M. Canevaro, A. Erskine, B. Gray and J. Ober, *Ancient Greek History and Contemporary Social Science* (Edinburgh: Edinburgh University Press, 2018), pp. 101-156.

[10] Ober 'Original Meaning', p. 3; Ober, *Demopolis*, p. 22; Canevaro, 'Majority Rule'.

[11] Hdt. 4.26, women ruling equally (*isokratees*) with men; Hdt. 5.92A, *isokratia* contrasted with tyranny; Galen, *Hist. Phil.* 126, *isokrateia* as equilibrium or equivalence; Zeno 1.27, 'evenly balanced'; Hipp. *Morb*. 2.42, wine mixed half and half with water; Aristot. *Prob*. 942b37, the equinox an even balance between winter and summer.

[12] Arist. *Pol*. 1269b31-35. See also 1313b33.

[13] Arist. *Pol*. 1279a35.

or those who possessed a certain property-qualification.[14] In each case *krat-* suggested not merely capacity—which, in any case, better translates *dunamis*—but a power differential between two forces, one of which prevailed over the other.[15]

The verb *krateō* supports that interpretation. In Aeschylus' *Suppliants*, *krateō* indicates the power of the sons of Aegyptus over the suppliant maidens.[16] In Euripides' *Suppliants*, it indicates those victorious in battle.[17] In Thucydides, it suggests military victory some 150 times,[18] while non-military uses also show one force prevailing over another.[19] A striking example appears in Thucydides' account of the second debate on the fate of the Mytilenaeans. Once Kleon and Diodotus had spoken, the Athenians 'were at odds [*en agōna*] what they should decree, and at the show of hands were almost equal, but the position of Diodotus prevailed [*ekratēse*]'.[20] *Pace* Ober, *krat-* could indeed indicate majority rule: the power of even a slim majority to determine the course of events, precisely because it outnumbered the minority.[21]

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[14] Plat. *Rep*. 8.545b-c; Arist. *Pol*. 1293b1, *NE* 1160a36, b17. For a useful new interpretation of the Aristotelian definition, see J. Mulhern, '*Timēma* in Aristotle's *Politics*', paper presented at the Northeastern Political Science Association annual meeting, Philadelphia PA, 2017.

[15] Ober, *Demopolis*, p. 27, n. 4, acknowledges that he 'cannot positively eliminate' the counterposition that in each case, what is being asserted is 'the defining characteristic (excellent, female, honorable, equal to one another) of the group that rules by dominance over others'. However, he deems this less likely 'in light of the positive connotations of the relevant terms (with the possible exception of *gunaikokratia*) and the general Greek disapproval of brute dominance of rulers over potential rulers (free, native males as opposed to e.g. slaves).' Ober interprets 'dominance' more negatively than is warranted. *Tyrannis* was an extreme case, but dominance in athletic competitions or war was celebrated by the ancient Greeks, and politics arguably resembled those spheres. Cf. N. Fisher and H. van Wees (eds.), *Competition in the Ancient World* (Swansea: University of Wales Press, 2017); Loraux, *Divided City*, p. 21. Note, also, the connection assumed between *aretē* and *kratos* at Arist. *Pol*. 1255a15.

[16] Aesch. *Suppl*. 387, 393.

[17] Eurip. *Suppl*. 18, 684.

[18] E.g. Thuc. 1.4, Minos mastered (*ekratēse*) most of the Hellenic sea; 1.11, with supplies, the Greeks would have defeated (*kratountes*) the Trojans; 2.3, the Plateans could easily overpower (*kratēsen*) the Thebans, and so on.

[19] Thuc. 1.71.3, improvements prevail (*kratein*); 3.84, human nature mastering (*kratēsasa*) law; 4.62, 'the incalculable element…exercises the widest influence' (*kratei*, trans. Crawley); 8.76, cities controlling (*kratei*) armies.

[20] Thuc. 3.49.

[21] On majority voting as a substitute for fighting, see G. Glotz, *La Cité Grecque* (Paris, 1928), p. 65; J.A.O. Larsen, 'The Origin and Significance of the Counting of Votes', *Classical Philology* 44 (1949), pp. 164-181. Other pertinent discussions of majoritarianism include G.E.M. de Sainte Croix, *Origins of the Peloponnesian War* (Duckworth: Bristol, 1972), pp. 348-9; E. Flaig, *Die Mehrheitsentscheidung: Entstehung und kulturelle Dynamik* (Paderborn: Schöningh, 2012); D. Graeber, *The Democracy Project* (London: Spiegel and Grau, 2013); M. Schwartzberg, *Counting the Many: The Origins and Limits of Supermajority Rule* (Cambridge: Cambridge University Press, 2013); R. Tuck, *Active and Passive Citizens* (Princeton: Princeton University Press, forthcoming). For a related argument attributing both higher levels of public disorder and the lesser likelihood that violence would escalate into deadly force and *stasis* to democratic political processes, see M. Simonton, 'Stability and Violence in Classical Greek Democracies and Oligarchies', *Classical Antiquity*, 36 (2017), pp. 52-103.

The foregoing evidence suggests that Loraux was right—*kratos* always designated 'superiority and thus victory'.[22] This article confirms and develops that interpretation by exploring the terminology of power found within the two *Constitutions of the Athenians* traditionally attributed to Xenophon and Aristotle respectively.[23] While the final section of the article makes use of a wider range of authors, limiting the evidence in this way allows the relations among key terms to be scrutinized within a relatively brief compass and without excessive regard for varying historical or rhetorical contexts. Moreover, these texts are particularly valuable as our only targeted expositions of the Athenian political system, written seemingly for the sole purpose of persuading readers of a particular view of their subject. Their separation by a century conveniently allows consideration across the Classical period,[24] and, importantly, there seems no reason to suppose that either author's political vocabulary was idiosyncratic (which cannot be said about, say, Plato).[25] Perhaps most interesting, the historical nature of much of the Aristotelian text presents opportunities for the lexical analysis developed here to be tested against the historical narrative in mutually illuminating ways.

The comparative lexical analysis that follows suggests a typology of political power that illuminates both ancient and modern democratic politics. *Kratos* implied 'superiority' or 'predominance', especially in combat; *archē*, 'magistracy' or 'governance'; *kuros*, 'authority'; and finally—not a traditional 'power' concept but highly significant within *dēmokratia* nonetheless—*dēmagōgia*, '(popular) leadership'.[26] *Krat-*, *arch-* and *kur-* could each imply 'rule', albeit on different grounds. *Krat-* connoted rule based on martial superiority, *arch-* rule based on office-holding or governance, and *kur-* rule based on the perception of legitimate authority. What was gained by *kratos* could easily become *kurios*, 'authoritative'; it required only general acceptance of the outcome of one party's superiority. In Athens, crucial tipping points were the 508/7 revolution and the 404/3 civil war against the oligarchy of the Thirty. But it remained a significant feature of *dēmokratia* that final authority or sovereignty[27] ('being *kurios* over everything') belonged to those who were numerically and thus—in conditions of ancient warfare—militarily superior. '*Dēmokratia*' registered, in the first instance,

[22] Loraux, *Divided City*, p. 69.

[23] The authorship of these texts will not affect the argument. For discussion, see J.L. Marr and P.J. Rhodes, *The Old Oligarch: The Constitution of the Athenians Attributed to Xenophon* (Oxford: Aris and Phillips, 2008), pp. 6-12; P.J. Rhodes, *A Commentary on the Aristotelian Athēnaiōn Politeia* (Oxford: Clarendon Press, 1993), pp. 61-63.

[24] I follow Marr and Rhodes, *Old Oligarch*, pp. 3-6, in supposing a date of 425-424 for the Xenophontic text.

[25] See e.g. D. Cammack, 'Plato and Athenian Justice', *History of Political Thought*, 36 (2015), pp. 611-642.

[26] I offer this heavily Latinate selection with some trepidation. Nonetheless, I think these terms are as close to precise equivalents to the ancient Greek terms as modern English usage allows.

[27] Although the early modern associations of 'sovereignty' may be misleading—particularly its connection with legislation—it is an acceptable translation of *kurios* in some circumstances (discussed below). Cf. K. Hoekstra, 'Ancient Democracy and Popular Tyranny,' in R. Bourke and Q. Skinner (eds.), *Popular Sovereignty in Historical Perspective* (Cambridge: Cambridge University Press, 2016), pp. 15-51; M.S. Lane, 'Popular Sovereignty as Control of Office-holders: Aristotle on Greek Democracy', in Bourke and Skinner, *Popular Sovereignty*, pp. 52-72.

the victory of the *dēmos* ('assembly' or 'collective common people')[28] over its rivals, namely office-holders and political leaders, for command of the *politeia*. Moreover, in drawing attention to the association of *kratos* with martial superiority, this study incidentally highlights a weakness in contemporary democracy: the *dēmos*'s lack of *kratos* over the political elite whenever that elite controls military and police power.

I. 'THE *DĒMOS* IS *HO KRATŌN*'[29]

The Xenophontic *Constitution of the Athenians* opens by stressing the capacity of the *dēmos*: 'it is the *dēmos* that hauls the ships and imparts strength [*dunamis*] to the *polis*—the steersmen and boatswains and commanders-of-fifty and bow officers and ship-builders: it is these who impart strength [*dunamis*] to the *polis* much more than the hoplites and well-born and the good sort'.[30] Although *krat-* is not used here, this passage is significant for two reasons. First, demotic *dunamis* is represented as an explanation of why, in Athens, the *dēmos* has the upper hand politically ('has more' than the well-born and rich). And second, what counts is specifically said to be the *dēmos*' military (or more precisely naval) capacity. That capacity is not, in this passage, represented as aimed at others within the *polis*. But it *is* represented as the basis for the *dēmos*'s seemingly just political predominance *vis-à-vis* the well-born and rich.[31]

Leaving aside *dēmokratia* and its cognates, *krat-* appears eight times in this text, in every case signalling military predominance. Among their allies, the Athenians are strongest (*kratisteuousi*) on land, and hold their heavy infantry to be sufficient if they are stronger (*kreittones*) than their allies;[32] those who rule the sea may ravage the land of the stronger (*kreittonōn*), and disembark for provisions only wherever they are the stronger (*kreittōn*);[33] those who are strongest (*kratistoi*) on land suffer crop disease with difficulty, but not those who are strongest on sea.[34] Most telling is the name given to those who are strongest at sea: *thalassokratores*.[35] This did not, of course, imply that the Athenians prevailed over (*kratountes*) the sea itself.[36] Rather, it implied that they had defeated their rivals for command of the seas. *Krat-* suggested military superiority—with the *dunamis* of the Athenian *dēmos* at its heart.

Uses of *krat-* in the Aristotelian *Constitution of the Athenians* (c. 330) also suggest predominance or superiority of one party over others. Leaving aside *dēmokratia* and cognates, *krat-* appears eleven times in this text. *Krateō* with the accusative object *tauta* twice suggests an individual's capacity to command events in the face of actual or potential opposition: Solon's 'these deeds [*tauta*] I made prevail [*kratein*]' and the archon's proclamation that whatever someone possessed

[28] Following D. Cammack, 'The *Dēmos* in *Dēmokratia*', *Classical Quarterly* (2019), 69, pp. 42-61.
[29] [Arist.] *Ath. Pol*. 41.
[30] [Xen.] *Ath. Pol*. 1.2.
[31] [Xen.] *Ath. Pol.* 1.2.
[32] [Xen.] *Ath. Pol.* 2.1.
[33] [Xen.] *Ath. Pol.* 2.4-5.
[34] [Xen.] *Ath. Pol.* 2.6.
[35] [Xen.] *Ath. Pol.* 2.2, 2.14.
[36] [Xen.] *Ath. Pol.* 2.2.

at the start of the archon's year in office, those things (*tauta*) he should 'have and control [*kratein*]' until the end of the year.[37] The claim that once the Thirty 'held [*eschon*] the *polis* more firmly [*engkratesterōs*]', they 'kept their hands off none of the citizens, but put to death those of outstanding wealth, birth or reputation' reveals both the connection of *krat-* with 'grip'[38] and the physical superiority of the Thirty over the rest of the citizen body.[39] *Epikrateō*, which appears in the context is the civil war between the Thirty and their supporters on the one hand and the rebels based in Phyle on the other, confirms the association of *krat-* with military superiority: 'And those holding Phyle and Munichia, now that the whole *dēmos* was standing with them, began to get the upper hand [*epekratoun*] in the war'.[40] As in the Xenophontic text, strikingly, the *dēmos* is invoked as the cause or condition of martial superiority.

Dēmos is twice the grammatical subject of *krateō*. In chapter 40, the topic is the generosity of the victorious Athenians in paying back the funds that the Thirty had borrowed from the Spartans in order to fight the civil war, even though the peace treaty had called for each side to take responsibility for its own debts. That generosity is said to be all the more remarkable since, in other *poleis*, 'the newly prevailing [*kratēsantes*] *dēmoi* not only do not pay any more out of their own funds but even make a redistribution of land'.[41] And in chapter 41, *dēmos* and *krateō* appear in the author's important assessment of the political system since the return of the pro-democracy rebels from Phyle in 404/3.

> Eleventh was [the system] established after the return from Phyle and the Peiraieos, after which it has continued down to today, constantly taking on additions to the power [*exousia*] of the multitude [*plēthos*]. For the *dēmos* has given itself authority [= made itself *kurios*] over everything, and everything is managed [*dioikeitai*] through decrees and courts in which the *dēmos* is the prevailing power [*ho kratōn*], for even the decisions of the Council have come to the *dēmos*.

The participle *ho kratōn* suggests 'the prevailing one', in implicit contradistinction from some other less powerful party. Indeed, it is worth noting that both times *dēmos* and *krat-* appear together in this text, *krat-* is a participle, not a noun. The *dēmos* is not represented as 'having' or 'holding' *kratos*, as we might say the people 'have' or 'hold' power. Rather, the *dēmos* simply *is* 'the (more) powerful one'. *Kratos*, here, is not conceived as a thing possessed by a political agent, which could be alienated and transferred to from one party to another like a juridical property.[42] Rather, *kratos* inhered in the dominant agent. In that respect it exactly resembled physical strength.

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[37] [Arist.] *Ath. Pol*. 12, 56.
[38] As rightly emphasized by Cartledge, *Ancient Political Thought*, p. 74.
[39] [Arist.] *Ath. Pol.* 35.
[40] [Arist.] *Ath. Pol.* 38. I borrow 'began to get the upper hand' from Rackham.
[41] Here I follow Rhodes, *Commentary*, p. 480. The papyri, Kenyon, and Blass have *hoi dēmokratēsantes*, 'those who have set up democracy'. The alternative reading would not affect my argument.
[42] Cf. however Hdt. 3.81, where *to kratos* is 'given' (*pherein*) and 'invested' (*peritheōmen*).

Finally, *autokratōr* appears five times.[43] Defined in LSJ as 'one's own master', in the Aristotelian *Constitution of the Athenians* it usually refers to the power of elected generals, office-holders (in chapter 37, the Thirty), or treaty negotiators to act without further consultation of the body that had empowered them. It also appears in the post-war reconciliation agreement of 403 between the oligarchical and democratical factions: those who had supported the defeated oligarchs and wished to leave the city were granted the nearby settlement of Eleusis, where they would be 'authoritative (*kurios*) and masters of themselves (*autokratoras heautōn*)'.[44] Evidently, *autokrat-* signalled the exceptional nature of an agent's independence. Those with 'autokratic' powers were *themselves* superior, in implicit contradistinction from the norm.

The association of *krat-* with 'superiority' or 'predominance,' especially in or after combat, thus seems strong. Another line from the Aristotelian text featuring not *krat-* but its opposite, *hētt-*, 'inferiority', brings home the connection between martial predominance and superior numbers. Following criticism from Theramenes (one of the Thirty) on the narrowness of their government, the Thirty had enrolled three thousand of the citizens with a view to giving them a share in the *politeia*. But Theramenes remained dissatisfied, first on the grounds that *aretē*, 'excellence',[45] was surely not limited to three thousand men, and second because the Thirty was 'doing two completely incompatible things—making their rule [*archēn*] one of force [*biaon*] and at the same time weaker [*hēttō*] than those they ruled over [*tōn archomenōn*]'.[46] The Thirty plus three thousand would not be *ho kratōn*; the balance of physical power would remain on the side of the *dēmos*. And that supposition turned out to be correct. The superior military technology to which the Thirty and their like had access—horses, better shields, better spears—was insufficient to prevail over the pro-democracy rebels. In conditions of ancient warfare, an armed *dēmos*, whether fighting on land or at sea, was *itself* a decisive weapon. Thus when it came to a fight between the Thirty and their supporters and the men from Phyle with 'the whole *dēmos*' on their side, the side with the *dēmos* won—just as it had in 508/7, when Cleisthenes had 'taken the *dēmos* into his hetaireia' and the *dēmos* had risen to the occasion, besieging and defeating Isgoras and his troops on the Acropolis.[47]

Yet, if '*dēmokratia*' registered the victory of the collective common people, who or what had they prevailed over? One possibility was the entire *polis*—the object of the Thirty's 'grip' in 404. Another possibility was the *dēmos*' rivals for command of the *polis*—such as the Thirty and their supporters. Both interpretations have their merits and may ultimately come to the same thing. But the latter is more

[43] [Arist.] *Ath. Pol.* 31-2, 37-9.
[44] [Arist.] *Ath. Pol.* 39.
[45] Which itself connoted some degree of physical superiority. See Arist. *Pol*. 1255a15: 'But the reason of this dispute and what makes the theories overlap is the fact that in a certain manner virtue [*aretē*] when it obtains resources has in fact very great power [*dunatai*] to use force [*biazesthai*], and the stronger party [*to kratoun*] always possesses superiority [*huperochē*] in something that is good [*agathou*], so that it is thought that force [*bian*] cannot be devoid of goodness [*aretē*]…' (trans. Rackham).
[46] [Arist.] *Ath. Pol.* 36.2.
[47] [Arist.] *Ath. Pol.* 38; Hdt. Check.

in line with the uses seen so far, including the significant epithet *thalassokratōr*, which implied not mastery over the sea but mastery over one's rivals for command of the sea. *Krat-* suggested a power struggle between at least two parties over something coveted by both. By analogy, '*dēmokratia*' implied not that the *dēmos* had defeated or overpowered the *polis* (of which it was itself, in any case, the largest part) but that it had overpowered its rivals for command of the *polis* (which logically included command over itself). Historically speaking, those rivals clearly included the Four Hundred and the Thirty. Who else might the ancient Greeks have had in mind as potential threats to the supremacy of the *dēmos*—in peacetime as well as in moments of manifest *stasis*, 'civic conflict' or 'civil war'?

II. 'IF *TAS ARCHAS…ARCHEIN KALŌS*'[48]

Although I am not persuaded by Ober's argument that *krat-* implied a 'capacity to make good things happen in the public realm', his starting-point is plausible. Taking *monarchia*, *oligarchia*, and *dēmokratia* to be the three most important ancient Greek regime-terms, Ober argues that *dēmokratia* stands out for two reasons: unlike *mon-* (one) and *olig-* (few), *dēmo-* did not represent some number of persons but a singular collective body, and *krat-* not *arch-* was used to represent that body's political supremacy.[49] As Ober notes, this was not because *dēmarchia* was impossible to conceive. On the contrary, that term is attested, but it indicated the role of the *dēmarchos*, a leading official. In sixth-century Chios, the *dēmarchos* seems to have been an official associated with the assembly.[50] In classical Athens, it denoted something like a village mayor.[51] Much later, Polybius used the same term to indicate a Roman tribune of the plebs.[52]

What did *arch-* imply in the classical democratic context? As Ober notes, *archē* had several meanings. 'Beginning' or 'origin' appears in the Aristotelian *Constitution of the Athenians*: 'Solon was the original (*ex archēs*) champion of the *dēmos*'.[53] Another meaning was 'empire,' that is, extra-*polis* rule or governance, as in the Aristotelian reference to the Athenians' treating the Chians, Lesbians and Samians as 'guards of their empire' (*archē*).[54] An important example of that meaning was 'rule of the sea' (*tēs thalattēs archēn*).[55] The juxtaposition of *thalassokratores* with *arch-* terms in the Xenophontic *Constitution of the Athenians* reveals a significant distinction between *arch-* and *krat-*: ruling or governing, as represented by *arch-*, was in this context predicated on the martial predominance indicated by *krat-*. 'It is possible for those who are ruled [*archomenois*] by land,

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[48] [Arist.] *Ath. Pol*. 43.
[49] Ober, 'Original Meaning', p. 4.
[50] R. Meiggs, and D. Lewis, *A Selection of Greek Historical Inscriptions to the End of the Fifth Century BC* (Oxford: Clarendon Press, 1968), §8.3-4; cf. Cammack, '*Dēmos'*.
[51] Dem. 57.63.
[52] Polyb. 6.16.
[53] [Arist.] *Ath. Pol.* 28. Cf. 35, 55. Although I do not find this usage politically interesting, others have made more of it—above all, H. Arendt, *The Human Condition* (Chicago: University of Chicago Press, 1958), pp. 189, 222-25. See further P. Markell, 'The Rule of the People: Arendt, Arche, and Democracy', *American Political Science Review*, 100 (2006), pp. 1-14.
[54] [Arist.] *Ath. Pol.* 24.
[55] [Arist.] *Ath. Pol.* 32, 41; [Xen.] *Ath. Pol.* 2.4-6, 11, 13-14, 16. Cf. Thuc. 8.46.

from a few cities banding together as a collective, to fight, but for those who are ruled [*archomenois*] by sea, however many are islanders, it is not possible to combine their cities into one unit: for the sea is in between them, and those who prevail over [*kratountes*] them are the masters of the sea [*thalassokratores*]'.[56] Imperial rule (*archē*) evidently presupposed military superiority (*kratos*).

In the domestic context, things looked a little different. To begin, there was a clear connection between *arch-* and office-holding.[57] In the Xenophontic text, the plural noun *archai* ('offices') appears seven times,[58] *archein* implying 'hold or perform an office' probably five times,[59] and the name of a specific office twice (*trierarchōn*).[60] In the Aristotelian text, *archē* also frequently indicated 'office'. Before Draco, there were three offices (*archai*), determined by birth and wealth: *basileus*, 'king' (the 'first and greatest'), *polemarchos*, 'war-lord', and *archōn*, usually rendered simply 'archon'.[61] Later, six *thesmothetai* ('law-setters') were added, giving nine *archontes* altogether.[62] Those positions persisted into the mature democracy, alongside scores of more minor offices (*archai*).[63]

Ober argues that the meaning 'office' explains why *arch-* was not twinned with *dēmos* to form a regime-name: a corporate body such as the *dēmos* cannot hold an office.[64] In the Aristotelian *Constitution*, it is indeed striking that *dēmos* is never the subject of *archō*, unlike other rulers and office-holders such as the tyrant Peisistratus, the government of the Four Hundred, and the ten *autokratores* generals.[65] In fact, in that text, *arch-* is never associated with the 'national' *dēmos*, although it appears over 160 times—far more than any comparable 'power' referend.

Yet *dēmos* and *arch-*, signifying 'hold office', do appear together in the Xenophontic text. Discussing generalships and cavalry commanderships, the author writes: 'The *dēmos* recognizes that it is better off not performing these offices itself [*tō mē autos archein tas archas*] but allowing the most capable men to perform them [*archein*]. However, whatever offices [*archai*] exist for the sake of payment and personal advantage, those the *dēmos* seeks to perform [*archein*]'.[66] In the closing paragraph, he asks: 'how could one think that many have been unjustly

[56] [Xen.] *Ath. Pol.* 2.2. Cf. 2.14: 'if the Athenians were the dominant sea-power [*thalassokratores*] and lived on an island, they would have the opportunity to do harm, if they wished, but to suffer none, so long as they ruled the sea [*tēs thalattēs ērchōn*]…'
[57] As argued by M.S. Lane, 'Political Expertise and Political Office in Plato's *Statesman*: The Statesman's Rule (*archein*) and the Subordinate Magistracies (*archai*)', in A. Havlicek and K. Thein (eds.), *Plato's* Statesman*. Proceedings of the Eighth Symposium Platonicum Pragense* (Prague: OIKOYMENH 2013), pp. 49-77; Lane, 'Popular Sovereignty'.
[58] [Xen.] *Ath. Pol.* 1.2, 1.3 (three times), 1.19, 3.13.
[59] [Xen.] *Ath. Pol.* 1.3 (three times), 3.13 (twice).
[60] [Xen.] *Ath. Pol.* 1.18, 3.4.
[61] [Arist.] *Ath. Pol.* 3.
[62] [Arist.] *Ath. Pol.* 3.
[63] [Arist.] *Ath. Pol.* 50-5, 60-1.
[64] Ober, 'Original Meaning', p. 7.
[65] [Arist.] *Ath. Pol.* 19 and 32.
[66] [Xen.] *Ath. Pol.* 1.3.

disenfranchised at Athens, where it's the *dēmos* that performs the offices [*archōn tas archas*]?'[67]

What seems important to note is that in the earlier text, holding office and ruling are not sharply differentiated. For example, in the line 'the *dēmos* does not want the *polis* to be well-ordered and itself to be enslaved [*douleuein*] but to be free [*eleutheros*] and to *archein*', '*archein*' could be translated either 'govern or 'hold office'.[68] The next line emphasizes the *dēmos*' strength *vis-à-vis* its rivals: 'what *you* think of as being badly ordered—as a result of that the *dēmos* itself grows stronger [*ischuei*] and is free'.[69] If, as seems likely, being 'badly ordered' refers to the arrangement of offices, office-holding and rule go hand in hand. A similar relationship appears in the historical section of the Aristotelian text. There, wherever *arch-* implies rule—as in the cases of the nine seventh-century archons, Peisistratus, and the Four Hundred—it is typically as a function of office-holding. The role of Athens' early *archontes* was simply to perform the religious and judicial offices of government.[70] Peisistratus, who 'often went about the country himself settling disputes in person', also pursued this model of *archē*, as did the Four Hundred and the Thirty.[71]

In the mature *dēmokratia*, however, office-holding and rule were discontinuous. That some significant change occurred in the status of office-holders is implied early in the Aristotelian text. Following Solon's intervention, the Athenians twice 'did not appoint an *archon* owing to *stasis*'; then Damasias ruled (*ērxen*) for two years and two months before being driven out; then they elected ten men to rule (*ērxan*) jointly. The author then observes, 'this makes clear that the *archōn* had very great power (*dunamin*), for they were always having *stasis* about this *archē*'. [72] Evidently, by 330, that was no longer the case—and the contemporaneous section provides details. At that time, there were some seven hundred office-holders in Athens, ranging from military generals to councillors to the supervisor of the water-supply; and their subordinate status is revealed by the fact that all *archai* were subject to a vote of confidence in the *kuria ekklēsia*, 'chief assembly-meeting', every prytany—that is, ten times per year—and only reconfirmed in their positions if the assembled *dēmos* decreed that they '*archein'*d *kalōs*'.[73] 'Ruled well' is obviously impossible here, since the ruler in this context was evidently the *dēmos*. Only 'performed their offices well' will do.

The lesser status of office-holders in *dēmokratia* is also signalled by a change in terminology. In early Athens, as we saw, a ruling official was called *archōn*, plural *archontes*. That term was not a true noun but, like *ho kratōn*, a participle or verbal noun. Literally, an *archōn* was 'the *archō*-ing one', 'the office-holding/ruling one'. In the fourth century, however, in the case of all except the nine historic archons (whom the Aristotelian author, drawing attention to the name, refers to as 'the so-called (*kaloumenoi*) nine *archontes*'), the '*archō*-ing' agent was

[67] [Xen.] *Ath. Pol.* 3.13.
[68] [Xen.] *Ath. Pol*. 1.8. Cf. Hdt. 3.82.4.
[69] [Xen.] *Ath. Pol.* 1.8.
[70] [Arist.] *Ath. Pol.* 3-4.
[71] [Arist.] *Ath. Pol.* 16.
[72] [Arist.] *Ath. Pol.* 13.
[73] [Arist.] *Ath. Pol.* 43.

called *archē*, 'office', plural *archai*.[74] In fourth century Athens, it was no longer 'the one ruling' who performed an office; rather, curiously, offices were said to be performed by the offices themselves. Human agency had disappeared from the office-holder's title. Under *dēmokratia*, apparently, the political significance of office-holding had dramatically declined. In the fourth century, in most cases, it simply did not matter who performed an office—virtually any citizen would do.[75]

One answer to the question of who might rival the *dēmos* for command of the *politeia* is thus supplied: office-holders, those who carried out the day-to-day administration of the *polis*. Yet that raises another question. How exactly was the lesser strength of office-holders in *dēmokratia* maintained? Certainly the *dēmos* would have predominated over the corps of magistrates and military commanders in combat—that much was suggested by its victory in 404/3. But its military superiority could hardly be manifested on a daily basis. How then did the *dēmos* retain the upper hand?

III. '*KURIOS* OF THE *POLITEIA*'[76]

Melissa Lane has recently asked nearly the same question. 'If those doing the ruling (in Greek, *archein*) are those who hold the offices (in Greek, *archai*)—call this the "standard equation"—how then might the mass of people nevertheless be in charge or in control?' Although, as I have just argued, I do not think that *archein*, in the mature democratic context, *did* imply 'ruling', the question is important, as is Lane's answer. She argues that some fourth-century thinkers 'solved' this 'equation' by suggesting that the popular multitude should be *kurios*, 'sovereign'—by electing the highest office-holders and holding them to account.[77]

As Lane recognizes, to render *kurios* 'sovereign' is today to court controversy. Although that translation was once common, in the 1980s Mogens Hansen was heavily criticized for using it and switched to leaving *kurios* untranslated instead.[78] Since then it has been difficult to find anyone willing to use the language of sovereignty in the ancient Greek context. Yet the relationship between *kurios*, *kratos*, and sovereignty warrants further scrutiny. Both appear in the important line, quoted above, from Chapter 41 of the Aristotelian text: 'the *dēmos* has made itself *kurios* over everything, and everything is managed through decrees and courts in which the *dēmos* is *ho kratōn*'. Being *kurios* and being *ho kratōn* were evidently closely related but distinct. Is Lane then right to identify *kur-* with sovereignty, taking that to mean ultimate political authority? And was it manifested by 'electing the highest office-holders' and 'holding them to account'?

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[74] [Arist.] *Ath. Pol.* 43.
[75] See [Arist.] *Ath. Pol.* 55 on the requirements at *dokimasia*.
[76] [Arist.] *Ath. Pol.* 9.
[77] Lane, 'Popular Sovereignty', p. 52.
[78] Compare e.g. M.H. Hansen, *The Sovereignty of the People's Court in Athens in the Fourth Century B.C.* (Odense: Odense University Press, 1974) with M.H. Hansen, 'The Political Powers of the People's Court in Fourth-Century Athens', in O. Murray, and S. Price (eds.), *The Greek City from Homer to Alexander* (Oxford: Oxford University Press, 1990), pp. 215-286. Cf. R. Mulgan, 'Aristotle's Sovereign', *Political Studies*, 18 (1970), pp. 518-22; J. Ober, *Athenian Revolution*, pp. 107-122; Hoekstra, 'Ancient Democracy'.

Kur- certainly did not always imply sovereignty. Consider, for example, the Aristotelian author's discussion of judicial voting practices.[79] Each judge had two ballots, one pierced, for the prosecutor, and the other unpierced, for the defendant; and the judge put the ballot he wished to count (*tēn kurian*) into a copper urn (*ton kurion*), and the one he wished to discard (*tēn akuron*) into a wooden one (*ton akuron*). *Kur-*, here, must imply something like 'authoritative'. Or take the Thirty's decision to allow citizens to bestow property on whomever they wished, which the author says they accomplished by 'making the act of donation *kurios*'—again, 'authoritative' or 'decisive'.[80] Consider, too, *ekklēsia kuria*, the name of the best-paid assembly-meeting of each prytany, when votes of confidence in office-holders were held and impeachments announced: here, the meaning seems to be 'chief'.[81]

Elsewhere, however, something like sovereignty does seem to be intended. Solon, Hippias and Hipparchus, and the *dēmos* are each said to be *kurios* over affairs;[82] Isagoras and friends, Lysander of Sparta and the Thirty are *kurios* or *kurioi* over the *polis*;[83] the emigrants to Eleusis will be *kurious* in their new settlement;[84] and the *dēmos* is *kurios* over the *politeia* and 'over everything'.[85] In every case, *kur-* was accompanied by an object specifying exactly what the agent had authority over, and this sheds light on its meaning. With an appropriate modifier—the *polis*, *politeia*, 'everything'—*kur-* could suggest sovereignty; without it, a more limited sphere of authority was implied. This is abundantly clear in the Aristotelian text. For example, Solon made the *dēmos kurios* over judicial decisions; the Five Thousand were *kurious* to make treaties with whomever they wished; the nine 'chairmen' among the *prytanes* were *kurioi* over the dismissal of council and assembly meetings; the 'Receivers' were *kurioi* to decide suits only up to ten drachmas, and so on.[86] Indeed, we may refine the meaning even more. *Kur-* specifically indicated lawful or legitimate authority.[87] This is suggested especially by verbs featuring *kur-*. The political systems sketched out by a hundred delegates in the time of the Five Thousand were 'ratified' (*epikurōthentōn*) by the majority.[88] Similarly, when the Thirty decided to destroy Theramenes, they ordered the Council to pass two laws targeting him, with the result that 'when the laws were ratified (*epikurōthentōn*) he became outside the *politeia* and the Thirty were *kurious* to kill him'.[89] In each case, *kur-* implied the quality of lawfulness imparted to a decision because it was made by the proper agent—even if that agent acted under duress.

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[79] *Kur-* does not appear in the Xenophontic *Constitution*; hence, this section focuses on the Aristotelian text.
[80] [Arist.] *Ath. Pol.* 35.
[81] [Arist.] *Ath. Pol.* 42.
[82] [Arist.] *Ath. Pol.* 9, 20 and 41.
[83] [Arist.] *Ath. Pol.* 20, 34 and 35.
[84] [Arist.] *Ath. Pol.* 39.
[85] [Arist.] *Ath. Pol.* 9, 41.
[86] [Arist.] *Ath. Pol.* 9, 29, 44, 52. Cf. 8, 44-45, 48.
[87] Cf. Hoekstra, 'Ancient Democracy'. As he discusses, another important context is the household: *kurios* often meant 'master' or 'guardian', as in Aesch. *Libation-Bearers* 658, 689, and throughout Dem. 59.
[88] [Arist.] *Ath. Pol.* 32.
[89] [Arist.] *Ath. Pol.* 37. Cf. 59.

Legitimate authority of this kind is in several texts represented as acquired through the will of the gods.[90] But the agreements of men were almost as powerful, as the appearance of *kurios* in treaties implies: 'the decision of the majority of the allies should be binding (*kurios*), unless the gods or heroes stood in the way'.[91] Such agreements did not need to be formal. In the Aristotelian *Constitution*, the *dēmos* 'making itself *kurion* over everything' is defended both because it had 'seemed just', since the *dēmos* had achieved its return by its own efforts, and because 'the few are more easily corrupted by profit and by favours than the many'.[92] 'Might' and 'right' are here intermingled, although not indistinguishable. What was gained through *kratos* only required general acceptance in order to become *kurios*. The Athenian *dēmos* took the *politeia* through its military superiority, but it was the fact that such victories were deemed to be a 'just' basis of continuing political authority that made it a legitimate sovereign.[93]

How was the authority of the Athenian *dēmos* manifested institutionally? As noted, Lane (drawing on many more sources than I do here) associates the *dēmos*'s sovereignty with the fact that it elected high office-holders—in Athens, principally military offices and some treasurers—and held them to account. In the Aristotelian *Constitution*, elections do not come in for special attention in this context, but the accountability of office-holders certainly does. The key process was the *euthuna*, the routine post-tenure audit. The *dokimasia*, 'scrutiny', was the pre-tenure equivalent, while any infractions mid-tenure were dealt with by *eisangelia*, 'impeachment'.[94]

To some extent, the necessity of those procedures is implied by *kur-* itself. As discussed above, office-holders were authoritive within their respective fields. But inasmuch as *kur-* terminology delineated a specific jurisdiction, being *kurios* implied limits on power as much as scope. Most *kurios* agents mentioned by the Aristotelian author were *kurios* over a relatively small domain, and both the limits of this domain and proper behaviour within it had to be controlled—by the agent that was *kurios* over the whole *politeia*.[95]

After c. 371, when the judgement of impeachments passed from the assembly to the courts,[96] this control was invariably exerted not by the *dēmos* itself—that is, the *dēmos qua* assembly—but by the *dikastēria* or popular courts.[97]

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[90] Aesch. *Ag*. 178, *Eum*. 327, *Supp*. 733; Hdt. 1.48.2, 5.50, 5.93, 6.129.
[91] Thuc. 5.30, cf. 5.47.12.
[92] [Arist.] *Ath. Pol.* 41.
[93] Daniel Schillinger has suggested to me that the sequence may sometimes have run the other way. For example, the Aristotelian author's account of the amnesty and reconciliation following the 404/3 civil war implies that the *dēmos* 'prudently cultivated its juridical authority as a central element of its power': the *dēmos* may have self-consciously pursued 'being seen as *kurios*' in order to 'entrench its *kratos*' (personal communication). I thank him for this insight, and would add that the specific way in which being seen as *kurios* might help to strengthen demotic *kratos* would be that it kept the numbers of those willing to fight for democracy buoyant.
[94] [Arist.] *Ath. Pol.* 45, 54-5.
[95] Again, as noted by Hoekstra, 'Ancient Democracy'.
[96] M. Hansen, *Eisangelia* (Odense: Odense University Press, 1975).
[97] The relationship of the courts to the assembly, and particularly the extent to which the courts represented the assembly, has been the subject of considerable controversy. See A. Blanshard, 'What Counts as the Demos? Some Notes on the Relationship between the Jury and "The People" in

It was Athenian judges—ordinary citizens randomly selected in a lengthy process described in the final seven chapters of the Aristotelian text—who policed the activities of office-holders within the political system and thus maintained the supremacy of the *dēmos* overall.

The significance of the popular courts as the backstop of demotic power is signalled in the Xenophontic text, when the author argues that tinkering significantly with the judicial system would weaken Athens' *dēmokratia*.[98] But it is a core part of the Aristotelian author's argument.[99] According to him, the Solonian reform that most strengthened the multitude (*plēthos*) was the appeal to the courts, 'for the *dēmos* having authority [being *kurios*] over the vote acquires authority [becomes *kurios*] over the *politeia*'.[100] Seemingly recognizing this, the Thirty moved early to dissolve the authority lodged in the judges.[101] This argument comes to a head in chapter 41, in the passage already quoted: 'the *dēmos* has given itself authority [= made itself *kurios*] over everything, and everything is managed by decrees and by courts in which the *dēmos* is *ho kratōn*…' On this representation, the final political authority of the Athenian *dēmos* rested on popular judicial power. The sovereignty (*kuros*) of the *dēmos* had been gained through *kratos*, but it was maintained through judicial procedures in which the *dēmos* (or more precisely, some of its members) continued to have the upper hand.

IV. 'THE EAGER *DĒMAGŌGOUNTAS*'[102]

Office-holders were thus one potential rival for supremacy in *dēmokratia*. But they were not the most significant. In some circumstances office-holders could certainly prove dangerous, as Aristotle noted when discussing the various ways that *dēmokratia* might come to an end: for example, in Miletus, in former times, 'a tyranny arose out of the *prutaneia*, for the *prutanis* was *kurios* over many important matters'.[103] But in an 'advanced' (*teleutaia*) democracy, where office-holders typically had less authority and were more tightly controlled, a more serious threat to demotic rule came from another source—one that, lacking formal constitutional power, owed its influence to the *dēmos* itself: *dēmagōgoi* or leaders of the *dēmos*.

Although in modern parlance 'demagogue' is always pejorative, *dēmagōgos* (from *dēmos* and *agō*, 'lead') was not.[104] Purely pejorative depictions can certainly be found: Aristophanes, for instance, characterized a *dēmagōgos* as 'an ignoramus and a rogue' with 'a screeching, horrible voice, a perverse, crossgrained nature and the language of the market-place'.[105] Although he did not

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Classical Athens', *Phoenix*, 58 (2004), pp. 28-48; M.H. Hansen, 'The Concepts of *Demos*, *Ekklesia* and *Dikasterion* in Classical Athens', *Greek, Roman and Byzantine Studies*, 50 (2010), pp. 499-536; Ober, *Athenian Revolution*, pp. 107-122; and two forthcoming articles of my own.

[98] [Xen.] *Ath. Pol*. 7-8.

[99] D. Cammack, *Rethinking Athenian Democracy*, Harvard diss. (unpub.), 2013.

[100] [Arist.] *Ath. Pol.* 9.

[101] [Arist.] *Ath. Pol*. 35.

[102] [Arist.] *Ath. Pol.* 26.

[103] Arist. *Pol*. 1305a15.

[104] As argued by Finley, *Democracy*, pp. 38-75; M.S. Lane, 'The Origins of the Statesman–Demagogue Distinction in and after Ancient Athens', *Journal of the History of Ideas*, 73 (2012), pp. 179-200; and G. Grote, *History of Greece* (London: Murray, 1846-1856), vol. iii, p. 25.

[105] Aristoph. *Knights* 191, 217, tr. O'Neill.

use the exact term, the author of the Xenophontic *Constitution of the Athenians* presumably had something similar in mind when he described 'worthless' people and 'maniacs' speaking in the assembly, and acknowledged that such men's 'ignorance and worthlessness and good-will' benefited the *dēmos* more than the 'excellence and wisdom and ill-will' of the 'better sort' of political leader.[106]

Yet, the author of the Aristotelian *Constitution of the Athenians* used *dēmagōgeō* neutrally or even positively to refer to a run of men of noble birth and high esteem among both *dēmos* and elite: Solon, Peisistratus, Cleisthenes, Xanthippus, Themistocles, Ephialtes, and Pericles.[107] Of those, he particularly admired Pericles, who 'advanced to the position of leader of the *dēmos* [*pros to dēmagōgein elthontos*]' eleven years after Ephialtes' death.[108] 'So long as Pericles stood first with the *dēmos* politics went better', the author claims, but when he died, 'the *dēmos* now for the first time took a champion [*prostatēs*] who was not in good repute with the respectable, whereas in former times those had always been the popular leaders [*dēmagōgountes*]'.[109] Isocrates had also picked out Pericles as a 'good *dēmagōgos*' and advised Nicocles on how to 'practice popular leadership well [*dēmagōgeis kalōs*]': 'neither allow the mob [*ochlos*] to do or to suffer outrage, but see to it that the best of them have honours while the rest suffer no derogation of their rights'.[110] Lysias argued before a popular court that it was the duty of good *dēmagōgoi* 'not to take your property in the stress of your misfortunes, but to give their own property to you'.[111] Aeschines valued fellow-feeling in a demagogue—'the man who hates his child and is a bad father could never be a worthy leader [*dēmagōgos chrēstos*]' [112] —and Hypereides argued that 'a true [*dikaion*] *dēmagōgos* should be the saviour of his country, not a deserter'.[113]

Putting those claims together, it seems that a good demagogue was expected to act in the *dēmos*' interests and cause it to flourish by securing both its material prosperity and political significance relative to other parts of the *polis*. Aristotle, in the only extended discussion of Athens in the *Politics*, emphasized the latter. Ephialtes and Pericles had docked the power of the Areopagos Council, Pericles had established payment for serving in the courts, 'and in this manner eventually the successive leaders of the people [*tōn dēmagōgōn*] led them on by growing stages to the present democracy'.[114] *Dēmagōgia*, that is to say, had played a crucial role in extending the power of the Athenian *dēmos*.[115] Aristotle argued that this had been possible because the *dēmos* already had power to bestow favours and make fortunes via the courts: 'For as [the courts] grew strong, men courted favour

[106] [Xen.] *Ath. Pol.* 1.6, 1.9.
[107] [Arist.] *Ath. Pol.* 28.
[108] [Arist.] *Ath. Pol.* 27.
[109] [Arist.] *Ath. Pol.* 28.
[110] Isoc. Isoc. *Helen* 37, *To Nicocles* 16.4. Cf. *Antidosis* 234, *On the Peace* 126.
[111] Lys. 27.10.
[112] Aeschin. 3.78.
[113] Hyp. 'Against Demosthenes', Fr. 4, col. 16b line 26.
[114] Arist. *Pol*. 1274a.
[115] Aristotle also suggested that *to dēmagogein* had played a role in converting *aristokratia* into *dēmokratia* at Sparta (*Pol*. 1270b), and some old-fashioned electoral democracies into the 'ultimate' kind (*Pol*. 1305a30).

[*charizomenoi*] with the *dēmos* as with a tyrant and so brought the constitution to the present democracy'.[116] Essentially the same analysis lay beneath the line from Chapter 9 of the Aristotelian *Constitution* already quoted: 'the *dēmos* being *kurios* of the vote becomes *kurios* of the *politeia*'. The vote referred to in that line was that of a popular court; the party responsible for establishing the right of appeal to the popular court was the *dēmagōgos* Solon; and the power that that had given the *dēmos* made the *dēmos*'s leaders powerful in turn.

The source of the *dēmagōgoi*'s power was thus the *dēmos* itself, as opposed to the traditional foundation of political power—the possession of large properties.[117] More specifically, it lay in the capacity of the *dēmagōgoi* to *persuade* the *dēmos* to put its might—its *kratos*—behind them and their proposals, even to the extent of overriding the established laws.[118] As Aeschines put it, a *dēmagōgos* 'has the power [*dunaito*] to cajole [*thōpeusai*] the *dēmos*'.[119] Hobbes, in his translation of Thucydides, made this relationship plain when he described Cleon as 'of all the citizens most violent [*biaotatos*] and with the people [*dēmos*] at that time far the most powerful', where 'most powerful' translates *pithanōtatos*, literally 'most persuasive'.[120] He used the same wording about Athenagoras of Syracuse—'most powerful [*pithanōtatos*] with the commons [*tois pollois*]'.[121]

Yet *peithō*, 'persuade', was ambiguous. In the passive voice, it equally implied 'obey', and that ambiguity indicates the danger of this relationship for the *dēmos*.[122] Through winning votes in the assembly and courts, the *dēmos*'s leaders could achieve many things on its behalf, but their power to bring about actions in the *dēmos*'s interests was predicated on a form of power over the *dēmos*—rhetorical influence. Demosthenes complained that 'by playing the demagogue [*dēmagōgountes*] and seeking favour [*charizomenoi*]', Athens' political speakers had 'brought you to such a frame of mind that in your assemblies you are elated by their flattery and have no ear but for compliments'.[123] Wrongly deployed, that power undermined rather than supported rule by the *dēmos*.

In the *Politics*, Aristotle outlined two ways that that might happen. Most commonly, *dēmagōgoi* went too far against large property-owners, provoking counter-revolution and oligarchy. The 'insolence' of *dēmagōgoi* 'cause the owners of property to band together, partly by malicious prosecutions…and partly by setting the *plēthos* against them as a class'. Apparently, this had happened in Kos, Rhodes, Heraclea, Megara, and Kyme. He added: 'Sometimes they make the notables combine by wronging them in order to curry favour [*charizōntai*] [with the *dēmos*], causing either their estates to be divided up or their revenues by imposing public services, and sometimes by so slandering them that they may have

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[116] Arist. *Pol*. 1274a.
[117] A contrast that appears, for example, in the Aristotelian author's representation the *dēmagōgoi* are counterposed with the *prostatai*, 'champions', of the *euporōn*, 'well-to-do' (ch. 28).
[118] Arist. *Pol*. 1292a, 1305a30, 1310a.
[119] Aeschin. 3.226.2.
[120] Thuc. 3.36, trans. Hobbes.
[121] Thuc. 6.35, trans. Hobbes.
[122] As highlighted by E. Garver, 'Plato's *Crito* on the Nature of Persuasion and Obedience', *Polis*, 29 (2012), pp. 1-20.
[123] Dem. 8.34.

the property of the wealthy to confiscate'—that is, by getting judgments against them in the courts.[124]

Alternatively, *dēmagōgoi* might simply take the *politeia* into their own hands, converting themselves from leaders to rulers and the constitution from *dēmokratia* to *turannis*. A prominent example was the sixth-century Athenian tyrant Peisistratus. According to the Aristotelian *Constitution*, Peisistratus first came to prominence as the leader of the pro-*dēmos* 'hill-men', being reputed to be an extreme advocate of the *dēmos*.[125] He then persuaded (*sunepeise*) the *dēmos* to give him a bodyguard by pretending that he had been wounded by the oligarchic opposition, and with their help rose against the *dēmos* and took the acropolis.[126] Following expulsion by the pro-oligarchy factions, he regained his position by tricking the *dēmos* into thinking that he had Athena herself on his side, and then after another break in his rule, won back control of the *politeia* by first hiring mercenaries and defeating the government forces in battle, and then disarming the *dēmos* by asking it to shift locations during an armed muster, which enabled his followers to carry off its weapons.[127] After this, the Peisistratids remained in power until 510, when they were driven out by the Spartans, following which the *dēmos* under the leadership of Cleisthenes fought its way back to control of the *politeia*.[128] Other famous demagogues-turned-tyrants were Theagenes of Megara, Dionysius of Syracuse, Panaetius of Leontini, and Cypselus of Corinth.[129] Indeed, Aristotle claimed that 'almost the greatest number of tyrants have risen…from among the demagogues, having won the people's confidence (*pisteuthentes*) by slandering the notables'.[130] Yet he also believed that that situation was not likely to recur.

> In the old days, whenever the same man became *dēmagōgos* and general, they used to change the system to a tyranny; for practically a majority of ancient tyrants arose from the *dēmagōgoi*. And the reason that used to happen, but doesn't any more, is that then the *dēmagōgoi* were drawn from those who held the office of general (for they were not yet impressive speakers), but now that rhetoric has developed, able speakers lead the people [*hoi dunamenoi legein dēmagōgousi*], but owing to their inexperience in military matters they are not put in control of these…[131]

Essentially, according to Aristotle, modern would-be tyrants lacked *kratos*. Although they had rhetorical influence, they would not be able to prevail in battle.

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[124] Arist. *Pol*. 1304b22-1305a10. Cf. Xen. *Hell*. 5.2.7.8: After Mantineia was divided into four separate villages, 'the owners of the landed property, since they…enjoyed an aristocratic government and were rid of the troublesome demagogues (*tōn bareōn dēmagōgōn*), were pleased with what had been done.'
[125] [Arist.] *Ath. Pol.* 13.
[126] [Arist.] *Ath. Pol*. 14.
[127] [Arist.] *Ath. Pol.* 14-15.
[128] [Arist.] *Ath. Pol.* 20.
[129] Arist. *Pol*. 1305a25-30, 1310b25-30.
[130] Arist. *Pol*. 1310b15, cf. 30.
[131] Arist. *Pol*. 1305a5-15. Cf. Androtion frag. 5.6.

In the 330s, that claim may have seemed plausible, but it did not match the experience of the Athenian *dēmos* in the late fifth century. Aristophanes suggests that in the 420s, fear of tyranny was widespread: 'Tyranny! I have not heard the word mentioned once in fifty years, and now it is more common than salt-fish…'[132] The author of 'Against Alcibiades' suggested that the transition from demagoguery to tyranny had already occurred: Alcibiades' behaviour 'shows the democracy to be nothing but a sham, by talking like a champion of the people (*dēmagōgou*) and acting like a tyrant, since he has found out that while the word "tyranny" fills you with concern, the thing itself leaves you undisturbed'.[133]

Most significant were the oligarchical coups of the Four Hundred in 411 and the Thirty in 404. To be sure, the 'tyranny' represented by those cases was collective rather than singular, i.e. oligarchy rather than *turannis* proper. But the association with popular leadership and persuasion persisted. Lysias described Phyrnichos, Peisander, and the other architects of the rule of the Four Hundred as *dēmagōgoi*, and the Thirty, who were originally elected by the assembly to produce a new constitution, were also prominent political leaders.[134] Some were formal office-holders (elected generals), but many were not. They had risen to prominence through rhetorical influence capable of harnessing the *kratos* of the *dēmos*. But they could as easily undermine it, and it took victory in the 404/3 civil war for the *dēmos* to secure its supremacy in the the *politeia* again.

How were such men to be controlled in peacetime? Again, the *dēmos*'s control of the courts proved key. While office-holders were held accountable through the *euthuna* and monthly votes of confidence, political leaders were targeted by other charges, such as lying to the *dēmos*, aiming to overturn the democracy, making a proposal outside the laws (*graphē paranomōn*), or proposing a law disadvantageous to the *polis*. Those indictments, which like all political charges in Athens were judged by a minimum of five hundred ordinary citizens acting as judges, have been interpreted as a way of limiting the powers of the assembly do to as it pleased.[135] But it is more plausible to read them as aimed at limiting the power of Athens' political elite by providing a way of rescinding any resolution that appeared to undermine the supremacy of the *dēmos* and punishing those responsible for advancing them. Peisistratus' bodyguard had, after all, been supplied via a properly advanced and approved proposal—that of a certain Aristophon.[136] The Four Hundred had been established as the result of two valid proposals, one drafted by Pythodorus of the deme Anaphylstus asking for thirty elected 'preliminary councillors' to draft new measures for the public safety, and another presented by the preliminary councillors requiring that a) all new proposals be put to the vote, b) that the *graphē paranomōn* and impeachment processes be repealed, and c) that anyone who attempted to indict or impeach proposers should

[132] Aristoph. *Wasps* 490-91, trans. O'Neill.
[133] [Andoc.] 4.27.7.
[134] Lys. 25.9.3; *Ath. Pol*. chs. 34-5; Thuc. 8.65.2.6, Xen. *Hell*. 2.3.27.5.
[135] See my forthcoming article on this topic, with citations.
[136] [Arist.] *Ath. Pol.* 14.

be summarily arrested and executed.[137] The Thirty, too, were established through a procedurally correct motion, proposed by Dracontides of Aphidna.[138]

Each of those decrees was authoritative and valid—that is, *kurios*.[139] Rule by the *dēmos* required something more. The *graphē paranomōn* and other political charges were the peacetime weapons that enabled the *dēmos* to stay *kurios* over the *politeia* even when its leaders acted against its interests. As Demosthenes argued, 'penalties for private citizens [*idiōtai*] should be slow, but for office-holders [*archai*] and political leaders [*dēmagōgoi*] swift, assuming that one can get satisfaction from the former even after some delay, but that one cannot wait for the latter, because there will be no possibility of punishment if the *politeia* is dissolved'.[140] The author of the Aristotelian *Constitution of the Athenians* made essentially the same point when he observed that in the courts, the *dēmos* was *ho kratōn*. The political authority (*kuros*) of the *dēmos* was underpinned by an institutionalized form of bodily superiority (*kratos*): its capacity to punish—swiftly and, if necessary, violently—those who threatened its rule.

CONCLUSION

Krat-, *arch-* and *kur-* were each associated with rule, but it is *krat-* that is twinned with *dēmos* in one of the best known derivations from ancient Greek in use today. Why? The foregoing analysis suggests an answer. What ultimately secured the political supremacy of the *dēmos* ('assembly' or, more broadly, 'collective common people') was its capacity to succeed in a trial of strength with the political elite, including both office-holders (*archontes*, *archai*) and political leaders (*dēmagōgoi*). As the Aristotelian author observed, it seemed just for the *dēmos* to take over the *politeia* after its victory over the Thirty and their supporters, for it had achieved its return through its own agency.[141] The *dēmos* could not, *en masse*, hold office, prosecute office-holders, or make or argue for proposals. Those tasks could only be performed by single men, who—if they were effective—posed, in their own way, a threat to the political supremacy of the *dēmos*. But the *dēmos* had superior collective force, as was revealed in the civil conflicts of 508/7 and 404. The critical question for *dēmokratia* was whether that superiority could be given a peacetime form, adequate to remind the political elite what they risked if they turned against the *dēmos*. In Athens, it could. The rule of the *dēmos* was institutionalized in the form of regular mass assemblies and popular courts in which *kratos*, *archē*, *kuros*, and *dēmagōgia* were all in play. Mass meetings, whether policy-making or judicial, made visible the potent threat that the *dēmos en masse* posed to any factions who might plot against it: if it came to a fight, the *dēmos* would win.

Military superiority, magistracy, authority, and leadership were each vital elements of Athenian *dēmokratia*. Indeed, *dēmokratia* may be understood as a certain configuration of those elements. The final authority of the Athenian *dēmos*

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[137] [Arist.] *Ath. Pol.* 25.
[138] [Arist.] *Ath. Pol.* 32.
[139] Though see M. Landauer, '*Demos (A)kurios*? Agenda Power and Democratic Control in Ancient Greece', forthcoming.
[140] Dem. 26.4.
[141] [Arist.] *Ath. Pol*. 41.

was underpinned by its capacity to prevail in combat, while magistracy and leadership were performed by single men, whose spheres of action were delimited by the popular courts, the supreme peacetime guarantor of the *dēmos*'s superiority.

The purpose of this article has been to draw out what we may call the *kratic* element of *dēmokratia*, to show its interplay with other forms of power, and to sketch how that interplay was elaborated institutionally in classical Athens. Another way to bring out what ancient democrats achieved in this context is to contrast it with modern democratic norms—that is, to ask where *kratos* lies today and to consider the consequences. Lacking opportunities to gather *en masse*, the collective physical capacities of ordinary citizens are normally nil. *Kratos*, in the form of military and police power, belongs to the political elite. Perhaps relatedly, elected office-holders are not routinely held accountable for their actions either during or after their tenure. To the contrary, far from securing their superiority via judicial action against self-serving, incompetent or duplicitous office-holders and political leaders, most men and women of the *dēmos* are today locked out of the judicial system except as objects of discipline. An ancient Greek observer would identify that system not as a *dēmokratia* but as an *oligarchia*—and a very successful species of *oligarchia* at that.